

AMENDED IN ASSEMBLY JULY 3, 2012
AMENDED IN ASSEMBLY JUNE 20, 2012
AMENDED IN ASSEMBLY JUNE 11, 2012
AMENDED IN ASSEMBLY JULY 13, 2011
AMENDED IN ASSEMBLY JUNE 22, 2011
AMENDED IN SENATE APRIL 26, 2011
AMENDED IN SENATE APRIL 13, 2011

SENATE BILL

No. 477

Introduced by Senator Wright

February 17, 2011

An act to add Article 9 (commencing with Section 35580) to Chapter 3 of Part 21 of Division 3 of Title 2 of the Education Code, relating to school district reorganization.

LEGISLATIVE COUNSEL'S DIGEST

SB 477, as amended, Wright. School district reorganization: bonded indebtedness: Wiseburn Unified School District: Centinela Valley Union High School District.

(1) Existing law specifies the manner in which bonded indebtedness of a school district on general obligation bonds is reallocated among school districts when school districts are reorganized.

This bill, notwithstanding the provisions above, would specify the manner in which the liability for taxation, the bonding capacity, the permitted use of existing bond proceeds, and the allocation of authorized but unsold bonds of the Wiseburn Unified School District and the Centinela Valley Union High School District would be determined upon

the reorganization of the Wiseburn School District and the Centinela Valley Union High School District by the formation of the Wiseburn Unified School District and the termination of the Wiseburn School District. The bill also would authorize the Local Public Schools Funding Authority, a joint powers authority created by the Wiseburn School District and the Centinela Valley Union High School District or the Wiseburn Unified School District and the Centinela Valley Union High School District, to issue bonds pursuant to laws governing the issuance of school facilities construction bonds by school districts. To the extent that these actions would cause local taxing authorities to perform additional duties, the bill would impose a state-mandated local program.

(2) Existing law requires plans and recommendations for the reorganization of school districts to include a computation of the base revenue limit per unit of average daily attendance.

This bill would set forth a calculation by which to determine the ~~base~~ *blended* revenue limit per unit of average daily attendance for the Wiseburn Unified School District.

(3) Existing law sets forth the procedures for the reorganization of school districts.

This bill would authorize a pupil residing in the Wiseburn Unified School District who is eligible to attend any of grades 9 to 12, inclusive, to attend the Centinela Valley Union High School District without an interdistrict attendance agreement if the Centinela Valley Union High School District accepts that pupil for attendance.

(4) This bill would make legislative findings and declarations as to the necessity of a special statute for the Centinela Valley Union High School District and the Wiseburn School District.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 9 (commencing with Section 35580) is
2 added to Chapter 3 of Part 21 of Division 3 of Title 2 of the
3 Education Code, to read:

4
5 Article 9. Formation of the Wiseburn Unified School District,
6 Bonded Indebtedness, and Revenue Limit
7

8 35580. Notwithstanding Article 8 (commencing with Section
9 35570), this article shall apply to the reorganization of the
10 Wiseburn School District and the Centinela Valley Union High
11 School District by the formation of the Wiseburn Unified School
12 District and the termination of the Wiseburn School District. This
13 article determines the liability for taxation, the bonding capacity,
14 the permitted use of existing bond proceeds, and the allocation of
15 authorized but unsold bonds of the Wiseburn Unified School
16 District and the Centinela Valley Union High School District, and
17 applies to the activities of the Local Public Schools Funding
18 Authority, a joint powers authority created by the Wiseburn School
19 District and the Centinela Valley Union High School District or
20 the Wiseburn Unified School District and the Centinela Valley
21 Union High School District.

22 35581. (a) Any tax for repayment of bonds of the Wiseburn
23 School District shall be levied on all taxable property of the
24 Wiseburn Unified School District.

25 (b) Any tax for repayment of bonds issued by the Wiseburn
26 Unified School District, including bonds authorized by the
27 Wiseburn School District, shall be levied on all taxable property
28 of the Wiseburn Unified School District.

29 (c) Commencing with the fiscal year that begins on the effective
30 date of the reorganization of the Wiseburn School District by the
31 formation of the Wiseburn Unified School District, any tax for
32 repayment of voter approved bonds of the Centinela Valley Union
33 High School District approved before January 1, 2012, shall be
34 levied on both of the following:

35 (1) All taxable property located within the Centinela Valley
36 Union High School District as the district exists following the
37 effective date of reorganization pursuant to this section.

(2) All taxable property located within the Wiseburn Unified School District that was formerly part of the territory of the Centinela Valley Union High School District.

(d) In recognition of the authority for Centinela Valley Union High School District to continue levying property taxes on taxable property located within the Wiseburn Unified School District for repayment of bonds approved by voters before January 1, 2012, beginning on the effective date of reorganization of the Wiseburn School District by the formation of the Wiseburn Unified School District, the Centinela Valley Union High School District shall transfer to the Wiseburn Unified School District an amount equal to four million dollars (\$4,000,000) from the proceeds of the sale of bonds approved by voters on November 2, 2010, and issued after January 1, 2012. The transfer shall be made from the proceeds of the sale of the first series of bonds issued after January 1, 2012, unless the Centinela Valley Union High School District elects to allocate the transfers to more than one series of bonds, in which case the transfers shall aggregate to the amount of four million dollars (\$4,000,000). Proceeds transferred pursuant to this subdivision shall be expended by the Wiseburn Unified School District for purposes consistent with the original voter authorization for the bonds.

35582. (a) The bonding limit applicable to the Wiseburn Unified School District shall be equal to the sum of both of the following:

(1) The limit specified in Section 15106, as applied to all taxable real property within the Wiseburn Unified School District zoned for residential purposes of any classification by reference to the general plan of the County of Los Angeles or any other zoning ordinance applicable to the territory.

(2) The limit specified in Section 15102, as applied to all taxable property within the territory of the Wiseburn Unified School District other than real property zoned for residential purposes of any classification by reference to the general plan of the County of Los Angeles or any other zoning ordinance applicable to the territory.

(b) Notwithstanding Section 35543 or any other law, the bonding limit applicable to the Centinela Valley Union High School District shall be equal to the sum of both of the following:

1 (1) The limit specified in Section 15102, as applied to all taxable
2 property within the Centinela Valley Union High School District.

3 (2) The limit specified in Section 15102, as applied to all taxable
4 property within the territory of the Wiseburn Unified School
5 District other than real property zoned for residential purposes of
6 any classification by reference to the general plan of the County
7 of Los Angeles or any other zoning ordinance applicable to the
8 territory.

9 (c) The bonding limit applicable to bonds payable from ad
10 valorem property taxes of a joint powers authority created by the
11 Wiseburn School District and the Centinela Valley Union High
12 School District or the two surviving districts, acting together
13 pursuant to the Joint Exercise of Powers Act (Chapter 5
14 (commencing with Section 6500) of Division 7 of Title 1 of the
15 Government Code), shall be equal to the sum of the respective
16 bonding limits applicable to the members of such authority.

17 (d) If the Local Public Schools Funding Authority created by
18 the Wiseburn School District and the Centinela Valley Union High
19 School District, or the two surviving districts, acting together
20 pursuant to the Joint Exercise of Powers Act (Chapter 5
21 (commencing with Section 6500) of Division 7 of Title 1 of the
22 Government Code), maintains outstanding bonded indebtedness
23 issued pursuant to Chapter 1 (commencing with Section 15100),
24 Chapter 1.5 (commencing with Section 15264), or Chapter 2
25 (commencing with Section 15300), of Part 10 of Division 1 of
26 Title 1, the bonded indebtedness shall be allocated to the Wiseburn
27 Unified School District and the Centinela Valley Union High
28 School District, respectively, for purposes of the calculation of
29 debt capacity pursuant to the bonding limits set forth in
30 subdivisions (a) and (b), in proportionate amounts calculated based
31 on the assessed value of taxable property within each respective
32 school district securing repayment of the bonds.

33 (e) This section does not prohibit the Wiseburn Unified School
34 District or the Centinela Valley Union High School District from
35 seeking a waiver pursuant to Article 3 (commencing with Section
36 33050) of Chapter 1 of Part 20 of Division 2 or any other similar
37 law of the bonding limits of this section or any other applicable
38 statutory bonding limit.

39 35583. ~~(a)~~ For purposes of paragraph (1) of subdivision (a) of
40 Section 35735.1, the blended-base revenue limit per unit of average

1 daily attendance for the Wiseburn Unified School District shall be
2 calculated as follows:

3 ~~(1)~~

4 (a) Multiply the Wiseburn School District revenue limit per unit
5 of average daily attendance for the 2012–13 fiscal year by nine.

6 ~~(2)~~

7 (b) Multiply the Centinela Valley Union High School District
8 revenue limit per unit of average daily attendance for the 2012–13
9 fiscal year by four.

10 ~~(3)~~

11 (c) Add the products determined pursuant to ~~paragraphs (1)~~
12 ~~subdivisions (a) and (2) (b)~~.

13 ~~(4)~~

14 (d) Divide the sum determined pursuant to ~~paragraph (3)~~
15 ~~subdivision (c)~~ by 13. This amount shall be the blended base
16 revenue limit per unit of average daily attendance for the Wiseburn
17 Unified School District.

18 ~~(b) The Wiseburn Unified School District shall be deemed to~~
19 ~~be eligible for the adjustments provided in subparagraph (B) of~~
20 ~~paragraph (2) of subdivision (a) of Section 35735.1 and~~
21 ~~subparagraph (B) of paragraph (3) of subdivision (a) of Section~~
22 ~~35735.1 and all other adjustments in Section 35735.1 as if the~~
23 ~~Centinela Valley Union High School District average daily~~
24 ~~attendance were 25 percent of the average daily attendance in the~~
25 ~~resulting Wiseburn Unified School District.~~

26 35584. A pupil residing in the Wiseburn Unified School District
27 who is eligible to attend any of grades 9 to 12, inclusive, may
28 attend the Centinela Valley Union High School District without
29 an interdistrict attendance agreement if the Centinela Valley Union
30 High School District accepts that pupil for attendance.

31 35585. Notwithstanding any other law, the election to approve
32 the reorganization plan for the Wiseburn Unified School District
33 shall be conducted within the territory of the Wiseburn School
34 District, and shall be approved upon a favorable vote of a majority
35 of all votes cast on the reorganization proposal.

36 35586. The governing board of the Local Public Schools
37 Funding Authority formed by the Wiseburn School District and
38 the Centinela Valley Union High School District or the two
39 surviving school districts, acting together pursuant to the Joint
40 Exercise of Powers Act (Chapter 5 (commencing with Section

1 6500) of Division 7 of Title 1 of the Government Code), may
2 proceed pursuant to Chapter 1 (commencing with Section 15100),
3 Chapter 1.5 (commencing with Section 15264), or Chapter 2
4 (commencing with Section 15300), of Part 10 of Division 1 of
5 Title 1 on behalf of the joint powers authority that is created by
6 and under the exclusive authority of its member school districts.

7 SEC. 2. The Legislature finds and declares that a special law
8 is necessary and that a general law cannot be made applicable
9 within the meaning of Section 16 of Article IV of the California
10 Constitution because of the unique nature of the reorganization of
11 school districts involving the Centinela Valley Union High School
12 District, the Wiseburn School District, and equitable access to the
13 commercial and industrial assessed valuation of property in those
14 school districts.

15 SEC. 3. If the Commission on State Mandates determines that
16 this act contains costs mandated by the state, reimbursement to
17 local agencies and school districts for those costs shall be made
18 pursuant to Part 7 (commencing with Section 17500) of Division
19 4 of Title 2 of the Government Code.